

Fill in this information to identify the case:

United States Bankruptcy Court for the:

**Northern District of Texas**

Case number (if known): \_\_\_\_\_ Chapter 11

Check if this is an amended filing

## Official Form 201

### Voluntary Petition for Non-Individuals Filing for Bankruptcy

06/22

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name

**Sustaita Properties 316 Ezell LLC**

2. All other names debtor used in the last 8 years

\_\_\_\_\_

Include any assumed names, trade names, and *doing business as names*

\_\_\_\_\_

3. Debtor's federal Employer Identification Number (EIN)

4 7 - 4 7 8 1 5 2 1

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**316 Ezell Dr**

Number Street

Number Street

**Desoto, TX 75115**

City

State

ZIP Code

City

State

ZIP Code

**Dallas**

County

Location of principal assets, if different from principal place of business

Number Street

City State ZIP Code

5. Debtor's website (URL)

\_\_\_\_\_

6. Type of debtor

Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))  
 Partnership (excluding LLP)  
 Other. Specify: \_\_\_\_\_

Debtor

**Sustaita Properties 316 Ezell LLC**

Case number (if known) \_\_\_\_\_

Name

**7. Describe debtor's business**

A. Check one:

Health Care Business (as defined in 11 U.S.C. § 101(27A))  
 Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))  
 Railroad (as defined in 11 U.S.C. §101(44))  
 Stockbroker (as defined in 11 U.S.C. § 101(53A))  
 Commodity Broker (as defined in 11 U.S.C. § 101(6))  
 Clearing Bank (as defined in 11 U.S.C. §781(3))  
 None of the above

B. Check all that apply:

Tax-exempt entity (as described in 26 U.S.C. §501)  
 Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)  
 Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor. See <http://www.uscourts.gov/four-digit-national-association-naics-codes> .

**8. Under which chapter of the Bankruptcy Code is the debtor filing?**

A debtor who is a "small business debtor" must check the first subbox. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box

Check one:

Chapter 7  
 Chapter 9  
 Chapter 11. Check all that apply:

The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$3,024,725. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).  
 A plan is being filed with this petition.  
 Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).  
 The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.  
 The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

Chapter 12

**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

If more than 2 cases, attach a separate list.

No

Yes. District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY

District \_\_\_\_\_ When \_\_\_\_\_ Case number \_\_\_\_\_  
 MM / DD / YYYY

**10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?**

List all cases. If more than 1, attach a separate list.

No

Yes. Debtor Sustaita Enterprises LLC Relationship Affiliate

District Northern District of Texas When 8/21/2023  
 MM / DD / YYYY

Case number, if known 23-31812-11

Debtor

Sustaita Properties 316 Ezell LLC

Name

Case number (if known) \_\_\_\_\_

**11. Why is the case filed in this district?**

*Check all that apply:*

Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.

A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

**12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?**

No

Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

**Why does the property need immediate attention? (Check all that apply.)**

It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

It needs to be physically secured or protected from the weather.

It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

Other \_\_\_\_\_

**Where is the property?**

Number \_\_\_\_\_ Street \_\_\_\_\_

City \_\_\_\_\_

State \_\_\_\_\_ ZIP Code \_\_\_\_\_

**Is the property insured?**

No

Yes. Insurance agency \_\_\_\_\_

Contact name \_\_\_\_\_

Phone \_\_\_\_\_

**Statistical and administrative information**

**13. Debtor's estimation of available funds?**

*Check one:*

Funds will be available for distribution to unsecured creditors.

After any administrative expenses are paid, no funds will be available for distribution to unsecured creditors.

**14. Estimated number of creditors**

<input checked="" type="checkbox"/> 1-49	<input type="checkbox"/> 50-99	<input type="checkbox"/> 1,000-5,000	<input type="checkbox"/> 5,001-10,000	<input type="checkbox"/> 25,001-50,000	<input type="checkbox"/> 50,000-100,000
<input type="checkbox"/> 100-199	<input type="checkbox"/> 200-999	<input type="checkbox"/> 10,001-25,000		<input type="checkbox"/> More than 100,000	

**15. Estimated assets**

<input type="checkbox"/> \$0-\$50,000	<input type="checkbox"/> \$1,000,001-\$10 million	<input type="checkbox"/> \$500,000,001-\$1 billion
<input type="checkbox"/> \$50,001-\$100,000	<input type="checkbox"/> \$10,000,001-\$50 million	<input type="checkbox"/> \$1,000,000,001-\$10 billion
<input type="checkbox"/> \$100,001-\$500,000	<input type="checkbox"/> \$50,000,001-\$100 million	<input type="checkbox"/> \$10,000,000,001-\$50 billion
<input checked="" type="checkbox"/> \$500,001-\$1 million	<input type="checkbox"/> \$100,000,001-\$500 million	<input type="checkbox"/> More than \$50 billion

Debtor

Sustaita Properties 316 Ezell LLC

Name

Case number (if known) \_\_\_\_\_

**16. Estimated liabilities**

<input type="checkbox"/>	\$0-\$50,000	<input type="checkbox"/>	\$1,000,001-\$10 million	<input type="checkbox"/>	\$500,000,001-\$1 billion
<input type="checkbox"/>	\$50,001-\$100,000	<input type="checkbox"/>	\$10,000,001-\$50 million	<input type="checkbox"/>	\$1,000,000,001-\$10 billion
<input type="checkbox"/>	\$100,001-\$500,000	<input type="checkbox"/>	\$50,000,001-\$100 million	<input type="checkbox"/>	\$10,000,000,001-\$50 billion
<input checked="" type="checkbox"/>	\$500,001-\$1 million	<input type="checkbox"/>	\$100,000,001-\$500 million	<input type="checkbox"/>	More than \$50 billion

**Request for Relief, Declaration, and Signatures**

**WARNING --** Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**17. Declaration and signature of authorized representative of debtor**

- The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.
- I have been authorized to file this petition on behalf of the debtor.
- I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/06/2024

MM/ DD/ YYYY

 /s/ Carlos Miguel Sustaita

Signature of authorized representative of debtor

Carlos Miguel Sustaita

Printed name

Title Managing Member

**18. Signature of attorney**

 /s/ Robert T DeMarco

Signature of attorney for debtor

Date 05/06/2024

MM/ DD/ YYYY

Robert T DeMarco

Printed name

DeMarco Mitchell, PLLC

Firm name

12770 Coit Road, Suite 850

Number Street

Dallas

City

TX

State

75251

ZIP Code

(972) 991-5591

Contact phone

robert@demarcomitchell.com

Email address

24014543

Bar number

TX

State

Fill in this information to identify the case:

Debtor name Sustaita Properties 316 Ezell LLC

United States Bankruptcy Court for the:

Northern District of Texas

Case number (if known): \_\_\_\_\_

Check if this is an amended filing

## Official Form 202

### Declaration Under Penalty of Perjury for Non-Individual Debtors

12/15

An individual who is authorized to act on behalf of a non-individual debtor, such as a corporation or partnership, must sign and submit this form for the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments of those documents. This form must state the individual's position or relationship to the debtor, the identity of the document, and the date. Bankruptcy Rules 1008 and 9011.

**WARNING -- Bankruptcy fraud is a serious crime. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**

#### Declaration and signature

I am the president, another officer, or an authorized agent of the corporation; a member or an authorized agent of the partnership; or another individual serving as a representative of the debtor in this case.

I have examined the information in the documents checked below and I have a reasonable belief that the information is true and correct:

- Schedule A/B: Assets—Real and Personal Property* (Official Form 206A/B)
- Schedule D: Creditors Who Have Claims Secured by Property* (Official Form 206D)
- Schedule E/F: Creditors Who Have Unsecured Claims* (Official Form 206E/F)
- Schedule G: Executory Contracts and Unexpired Leases* (Official Form 206G)
- Schedule H: Codebtors* (Official Form 206H)
- A Summary of Assets and Liabilities for Non-Individuals* (Official Form 206A-Summary)
- Amended Schedule* \_\_\_\_\_
- Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders* (Official Form 204)
- Other document that requires a declaration List of Equity Security Holders

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 05/06/2024  
MM/ DD/ YYYY

 /s/ Carlos Miguel Sustaita

Signature of individual signing on behalf of debtor

Carlos Miguel Sustaita

Printed name

Managing Member

Position or relationship to debtor

Fill in this information to identify the case:

Debtor name Sustaita Properties 316 Ezell LLC

United States Bankruptcy Court for the:

Northern District of Texas

Case number (if known): \_\_\_\_\_

Check if this is an amended filing

## Official Form 204

### Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders

12/15

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an *insider*, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number, and email address of creditor contact	Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of unsecured claim		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
1 Bradley 1445 Ross Ave Suite 3600 Dallas, TX 75202		Legal Fees				\$111,880.00
2						
3						
4						
5						
6						
7						
8						

Debtor

**Sustaita Properties 316 Ezell LLC**

Name

Case number (if known) \_\_\_\_\_

<b>Name of creditor and complete mailing address, including zip code</b>		<b>Name, telephone number, and email address of creditor contact</b>	<b>Nature of the claim (for example, trade debts, bank loans, professional services, and government contracts)</b>	<b>Indicate if claim is contingent, unliquidated, or disputed</b>	<b>Amount of unsecured claim</b> If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
					<b>Total claim, if partially secured</b>	<b>Deduction for value of collateral or setoff</b>	<b>Unsecured claim</b>
9							
10							
11							
12							
13							
14							
15							
16							
17							
18							
19							
20							

Bradley  
1445 Ross Ave Suite 3600  
Dallas, TX 75202

Bradley Arant Boult  
Cummings, LLP  
1445 Ross Avenue, Suite 3600  
Dallas, TX 75202

Dallas County  
c/o Elizabeth Weller  
Linebarger Goggan  
Blair & Sampson  
2777 N. Stemmons Frwy. No. 1000  
Dallas, TX 75207-2328

Dallas County Tax-Assessor  
Collector  
500 Elm Street  
Dallas, TX 75202

DeSoto ISD  
200 E. Belt Line Rd  
Desoto, TX 75115

Internal Revenue Service  
Centralized Insolvency Operations  
P.O. Box 7346  
Philadelphia, PA 19101-7346

Lane Gorman Trubitt  
2626 Howell St Suite 700  
Dallas, TX 75204

Office of the United States  
Trustee  
Earle Cabell Federal Building  
1100 Commerce Street Room 976  
Dallas, TX 75242

Regions Bank  
201 Milan Pkwy  
Birmingham, AL 35211

Sustaita Enterprises, LLC  
316 Ezell Dr.  
Desoto, TX 75115

Texas Attorney General's  
Office  
Bankruptcy Collection Division  
PO Box 12548  
Austin, TX 78711-2548

Texas Comptroller of Public  
Account  
C/O Office of the Attorney General  
Bankruptcy-Collections Division  
PO Box 12548, MC-008  
Austin, TX 78711-2548

United States Attorney  
Northern District of Texas  
1100 Commerce Street, 3rd Fl.  
Dallas, TX 75242-1699

IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

IN RE: **Sustaita Properties 316 Ezell LLC**

CASE NO

CHAPTER 11

**VERIFICATION OF CREDITOR MATRIX**

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Date 05/06/2024 Signature **/s/ Carlos Miguel Sustaita**  
Carlos Miguel Sustaita, Managing Member

Document Page 11 of 11  
**UNITED STATES BANKRUPTCY COURT**  
**NORTHERN DISTRICT OF TEXAS**  
**DALLAS DIVISION**

IN RE:  
**Sustaita Properties 316 Ezell LLC**

CHAPTER 11

DEBTOR(S)

CASE NO

**LIST OF EQUITY SECURITY HOLDERS**

Registered Name of Holder of Security Last Known Address or Place of Business	Class of Security	Number Registered	Kind of Interest Registered
<b>Carlos Miguel Sustaita</b> 1000 11th St Apt 2442 Plano, TX 75074		25%	
<b>Noemi Lopez</b> 1924 Willow Bend Dr Mesquite, TX 75149		25%	
<b>Jesus Rey Sustaita</b> 1924 Willow Bend Dr Oak Leaf, TX 75154		25%	
<b>Juan Carlos Sustaita</b> 2451 Materhorn Dr Dallas, TX 75228		25%	

**DECLARATION UNDER PENALTY OF PERJURY  
ON BEHALF OF A CORPORATION OR PARTNERSHIP**

I, the Managing Member of the Nonpublic Corporation named as the debtor in this case, declare under penalty of perjury that I have read the foregoing list and that it is true and correct to the best of my information and belief.

Date: 05/06/2024

Signature: /s/ Carlos Miguel Sustaita  
*Carlos Miguel Sustaita, Managing Member*